



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of

Inventor: Kenichi MIYOSHI Group Art Unit: 2618
Appln. No.: 10/538,747 Examiner: T. Pham
Filed: June 14, 2005
For: RADIO COMMUNICATION APPARATUS AND RADIO TRANSMISSION
METHOD

REQUEST FOR CONSIDERATION OF
INFORMATION DISCLOSURE STATEMENT

Assistant Commissioner of Patents
Washington, DC 20231

Dear Sir:

With respect to the Information Disclosure Statement filed June 14, 2005, the Examiner returned a copy of the PTO-1449 in which all foreign patent references and the Hara, et al. reference were both initialed and crossed out. Applicants respectfully request that the Examiner clarify and return a copy of the previously supplied Form PTO-1449 indicating consideration of the references; for the convenience of the Examiner, a copy of that Form PTO-1449 is attached, as well as a copy of the IDS and PTO date-stamped filing receipt.

Respectfully submitted,

James E. Ledbetter
Registration No. 28,732

Date: December 6, 2006

JEL/jpf

Attorney Docket No. L9289.05144

STEVENS, DAVIS, MILLER & MOSHER, L.L.P.
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The Official Dating Stamp of the Patent and Trademark Office
Hereon is acknowledgment of the filing of:

COPY

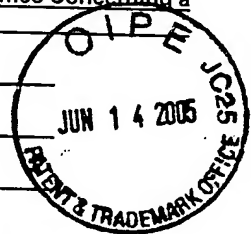
New National Phase Appln. of PCT Interntl. Patent Application PCT/JP2003/015945;
Transmittal Letter (Form PTO-1390) (2 pgs); English Translation including 14 pgs. spec.,
6 claims; 7 shs. dwgs. (Figs. 1-8); Abstract; 3 pg. List of Reference Characters; executed
Declaration; PTO-1595 with Assignment w/check No. 42369 for \$40.00; PCT/RO/101;
PCT/IB/308; Claim for Priority w/PCT/IB/304; Partial Application Data Sheet; and
Information Disclosure Statement w/PTO-1449; PCT International Search Report w/1 Other
doc. w/English Abstract.

Description of paper: Transmittal Ltr. to U.S. Designated/Elected Office Concerning a
Filing Under 35 USC 371 (in dup.) w/check no. 42369 for \$1,040.00

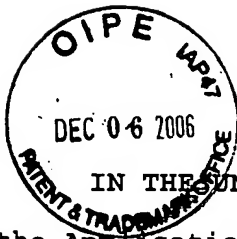
Name of Applicant(s): Kenichi MIYOSHI

Serial No.: New PCT National Stage Application

Atty. File No.: L9289.05144 Sender's Initials: JEL/spp



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In re the Application of

Inventors: Kenichi MIYOSHI
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INFORMATION DISCLOSURE STATEMENT

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Washington, DC 20231

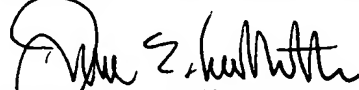
Dear Sir:

Pursuant to Rules 56 and 99, Applicants hereby call the attention of the Patent Office to the art listed on the attached Form PTO 1449. Copies of the art cited in the International Search Report (ISR), which issued by the JPO, are made available to the U.S. examiner in the national stage application, pursuant to MPEP 1893.03(g), and therefore copies of such art are not submitted herewith. The art cited in the ISR is listed on the attached PTO-1449 for an indication of consideration by the examiner. Copies of any other references listed on the PTO-1449, besides those cited in the ISR, are submitted herewith. The Y. HARA, et al. document is discussed in the present application at page 2, line 4 et seq. The following are English equivalents to foreign patent documents: US 550/JP 849, US 427/JP 269, US 070/JP 879 and US 978/JP 417.

Applicants present this art so that the Patent Office may, in the first instance, determine any relevancy thereof to the presently claimed invention, see Beckman Instruments, Inc. v. Chemtronics, Inc., 439 F.2d 1369, 1380, 165 USPQ 355, 364 (5th Cir. 1970). Also see Patent Office Rules 104 and 106.

Applicants respectfully request that this art be expressly considered during the prosecution of this application and made of record herein and appear among the "References Cited" on any patent to issue herefrom.

Respectfully submitted,



James E. Ledbetter
Registration No. 28,732

Date: June 14, 2005

JEL/spp

ATTORNEY DOCKET NO. L9289.05144

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FORM PTO-1449 U.S. Department of Commerce
(Rev. 4/92) Patent and Trademark Office

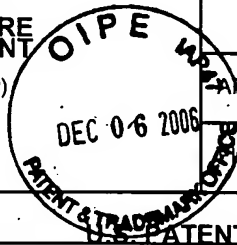
ATTY. DOCKET NO.

L9289.05144

SERIAL NO.

New PCT Nat'l Stage
ApplicationINFORMATION DISCLOSURE
STATEMENT BY APPLICANT

(Use several sheets if necessary)



APPLICANT

Kenichi MIYOSHI

FILING DATE

June 14, 2005

GROUP

Unassigned

U.S. PATENT DOCUMENTS

EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	6 1 7 5 5 5 0	01/2001	van Nee			
	2001 0 0 2 4 4 2 7	09/2001	Suzuki			
	2002 0 1 9 3 0 7 0	12/2002	Kitagawa et al.			
	5 7 2 6 9 7 8	03/1998	Frodigh et al.			

FOREIGN PATENT DOCUMENTS

DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
					YES	NO
1 0 3 0 3 8 4 9	11/1998	JP				
2001 2 3 8 2 6 9	08/2001	JP				
2002 1 4 1 8 7 9	05/2002	JP				
1 1 0 1 7 6 4 4	01/1999	JP				
2001 1 0 3 0 3 4	04/2001	JP				
1 0 0 7 5 2 2 6	03/1998	JP				
1 1 5 0 8 4 1 7	07/1999	JP				

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

Y. HARA, et al.: "Frame Configuration and Control Scheme in MC-CDM Systems with Frequency Scheduling," The Institute of Electronics, Information and Communication Engineers Gijutsu Kenkyu Hokoku, vol. 102, no. 206, July 12, 2002, pp. 67-72 with English Abstract.

EXAMINER

DATE CONSIDERED

EXAMINER: Initial if citation is considered, draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.